

1 Tom Dutton, Esquire
2 PITTMAN, DUTTON, KIRBY & HELLUMS, P.C.
3 2001 Park Place North, Suite 1100
Birmingham, AL 35203
Telephone: (205) 322-8880
Facsimile: (205) 328-2711
4

5 Attorney for Plaintiff
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

)
IN RE: BEXTRA AND CELEBREX) Docket No.: 3:06-CV-1104
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)
MDL NO. 1699
District Judge: Charles R. Breyer

)
Earl Darby, Jr.)
Plaintiff,)
vs.)
Pfizer, Inc., et al.)
Defendants.)
STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

Come now the Plaintiff, EARL DARBY, JR. and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

1 DATED: April 3, 2009
2
3
4
5

By:

Tom Dutton
PITTMAN, DUTTON, KIRBY & HELLUMS, P.C.
2001 Park Place North, Suite 1100
Birmingham, AL 35203
Telephone: (205) 322-8880
Facsimile: (205) 328-2711

6 Attorney for Plaintiff
7

8 DATED: Sept. 28, 2009
9
10
11
12

By: Murphy

13
14
15 DLA PIPER LLP (US)
16 1251 Avenue of the Americas
17 New York, NY 10020
18 Telephone: (212) 335-4500
19 Facsimile: (212) 335-4501
20 *Defendants' Liaison Counsel*
21
22
23
24
25
26
27
28

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.

Dated: 9/30/09

